

and operate the business (15 U.S.C. 637(d)).

#### § 1260.3 Applicability.

Subparts A and B of this part 1260 establish policies and procedures for all grants and cooperative agreements awarded by NASA to educational institutions and other non-profit organizations.

#### § 1260.4 Amendment.

This part 1260 will be amended by publication of changes in the FEDERAL REGISTER. Changes that require immediate dissemination may be issued as Grant Notices.

#### § 1260.5 Publication.

(a) The NASA Grant and Cooperative Agreement Handbook is published as part 1260 of title 14 of the Code of Federal Regulations (CFR).

(b) Subscriptions to the NASA Grant and Cooperative Agreement Handbook may be purchased from the Superintendent of Documents, United States Government Printing Office, Washington, DC 20402, telephone number (202) 512-1800. Requests should cite GPO Subscription Stock No. 933-001-00000-8. A subscription consists of the basic edition, plus all changes issued for an indefinite period.

#### § 1260.6 Deviations.

(a) A deviation is required for any of the following:

(1) When a prescribed provision (but not a special condition) set forth verbatim in this part 1260 is modified or omitted.

(2) When a provision is set forth in this part 1260, but not for use verbatim, and the Center substitutes a provision which is inconsistent with the intent, principle, and substance of the provision.

(3) When a form prescribed by this part 1260 is altered or another form is used in its place.

(4) When limitations, imposed by this handbook upon the use of a grant provision, form, procedure, or any other grant action, are changed.

(5) When a form is created for recipient use that constitutes a "Collection of Information" within the meaning of the Paperwork Reduction Act (44

U.S.C. 35) and its implementation in 5 CFR part 1320.

(b) Requests for authority to deviate from this part 1260 shall be submitted to the Office of Procurement, NASA Headquarters, Contract Management Division (Code HK). Requests, signed by the Procurement Officer, shall contain:

(1) A full description of the deviation, the circumstances in which it will be used, and identification of the requirement from which a deviation is sought;

(2) The rationale for the request, pertinent background information, and the intended effect of the deviation;

(3) The name of the recipient, identification of the grant affected, and the dollar value;

(4) A statement as to whether the deviation has been requested previously, and, if so, details of that request; and

(5) A copy of legal counsel's concurrence or comments.

(c) Where it is necessary to obtain a deviation on OMB Circular A-110 (Subpart B of this part), Code HK will process all necessary documents in accordance with § 1260.104.

#### PRE-AWARD REQUIREMENTS

#### § 1260.10 Proposals.

(a) A grant can result from:

(1) *An NRA, AO, CAN or BAA.* A proposal submitted in response to a broad agency announcement (BAA) such as a NASA Research Announcement (NRA), Announcement of Opportunity (AO), Cooperative Agreement Notice (CAN), an agencywide program announcement such as the Graduate Student Research Program, or after approval by the Associate Administrator for Procurement or designee. NRA's and BAA's are described in the NASA FAR Supplement (NFGS) 48 CFR part 1835. AO's are described in 48 CFR part 1870, subpart 1870.1.

(2) *An unsolicited proposal.* Guidance on unsolicited proposals is contained in the Federal Acquisition Regulation (FAR) 48 CFR subpart 15.5 and NFS 48 CFR subpart 1815.5. The synopsis requirement in FAR 48 CFR 15.507(b)(4), however, does not apply to the grant process. Contact with NASA technical personnel prior to proposal submission